UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/649,510	08/25/2000	Mary Michelle Quinton	777.394US1	8272

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EXAMINER
PHAN, RAYMOND NGAN

ART UNIT	PAPER NUMBER
2111	

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/6

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/649,510	QUINTON, MARY MICHELLE
	Examiner	**Art Unit**	
	Raymond Phan	2111	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 November 2003</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-50</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-50</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>9</u> .   6) ☐ Other: .

Part III   DETAILED ACTION

Notice to Applicant(s)

1.   This action is responsive to the following communications: amendment filed on November 29, 2003.

2.   This application has been examined. Claims 1-50 are pending.

3.   The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2111.

Specification

4.   The title of the invention is accepted.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.
>
> The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6.   Claims 1, 14, 32-39 are rejected under 35 U.S.C. § 102(e) as being anticipated by Mathis (US No 6,269,254).

In regard to claims 1, 14, 32, 35-39, Mathis discloses the method of plugging in a pluggable terminal comprising wrapping the control method for a virtual (i.e. phone (see col. 13, lines 66-67)) or non-virtual media (i.e. media file (col. 12, lines 62-67)) processing device control method to create a pluggable terminal (see col. 13, line 30 through col. 14, line 41) and making the pluggable terminal available to a TAPI application component (see col. 5, line 20 through col. 6, line 35).

In regard to claim 33, Mathis discloses the TSP component (i.e. JTAPI) for call control and for controlling communicating devices (see col. 12, lines 1-29); and MSP component (see col. 12, lines 62-67).

In regard to claim 34, Mathis discloses providing TAPI application component with a list of available terminals and for implementing terminals (see col. 13, line 20 through col. 14, line 41).

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 2-13, 15-31, 40-50 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mathis in view of Porter (US No. 5,473,680).

In regard to claims 2, 13, 15-17, 30-32, Mathis discloses the claimed subject matter as discussed above except the teaching of creating the terminal object from the pluggable terminal upon initialization of the TAPI system; registering the

pluggable terminal; discovering all available terminals, including the pluggable terminal; and sending a list of available terminals, including the pluggable terminal to the TAPI application component. However Porter discloses the creating the terminal object from the pluggable terminal upon initialization of the TAPI system (see col. 2, lines 17-24); registering the pluggable terminal (see col. 9, lines 19-53); discovering all available terminals, including the pluggable terminal (see col. 9, lines 19-53); and sending a list of available terminals, including the pluggable terminal to the TAPI application component (see col. 29, line 16 through col. 30, line 17). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 3, 40, 50, Porter discloses the step of deriving the pluggable terminal from the terminal base class (see col. 5, line 53 through col. 6, line 14); providing a first interface for plugging into the TAPI system (see col. 7, lines 23-42); and providing a second interface including at least one media processing method for the TAPI application component (see col. 7, line 62 through col. 8, line 33). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 4, 21, 41, Porter discloses the at least one media processing method for processing media selected from the group consisting of audio, video, text, and graphics (see col. 7, lies 44-60). Therefore, it would have

been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 5, 22, 42, Porter discloses the at least one media processing method for processing media selected from the group consisting of modem transmission, facsimile transmission and telephony transmission (see col. 7, lines 44-60). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 6, 23, 43, Porter discloses the at least one media processing method for processing media selected from the group consisting of videoconferencing, application sharing, document sharing, collaborative computing transmissions (see col. 7, lines 44-60). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 7, 24, 44, Porter discloses the at least one media processing method for processing media selected from the group consisting of chat transmission, visual chat transmissions, IP Telephony transmissions, and IM transmissions (see col. 8, lines 34-40). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have

combined the teachings of Porter within the system of Mathis because it would
allow efficient communications and management of resources used for multimedia,
multiparty communications.

In regard to claims 8, 25, 45, Porter discloses the at least one media
processing method for processing media selected from the group consisting of
PSTN call, tone transmissions, speech transmissions, IP interactive voice response
system transmissions, IP unified message system transmissions, and caller ID
transmissions (see col. 8, lines 34-40). Therefore, it would have been obvious to a
person of an ordinary skill in the art at the time the invention was made to have
combined the teachings of Porter within the system of Mathis because it would
allow efficient communications and management of resources used for multimedia,
multiparty communications.

In regard to claims 9, 26, 46, Porter discloses the at least one media
processing method for processing media selected from the group consisting of
music, movies, still pictures, and photographs (see col. 7, lines 44-60). Therefore,
it would have been obvious to a person of an ordinary skill in the art at the time the
invention was made to have combined the teachings of Porter within the system of
Mathis because it would allow efficient communications and management of
resources used for multimedia, multiparty communications.

In regard to claims 10, 27, 47, Porter discloses the at least one media
processing method for processing media selected from the group consisting of
television transmissions, radio transmissions, cable transmission (see col. 8, lines
13-40). Therefore, it would have been obvious to a person of an ordinary skill in
the art at the time the invention was made to have combined the teachings of Porter

within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 11, 28, 48, Porter discloses the at least one media processing method for processing media selected from the group consisting of portable device communications, PDA, tablet transmissions (see col. 8, lines 28-40). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 12, 29, 49, Porter discloses the at least one media processing method for processing media selected from the group consisting of digital phone calls and cellular phone calls (see col. 8, lines 33-40). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claim 18, Mathis discloses the method of plugging in a pluggable terminal comprising wrapping the control method for a virtual (i.e. phone (see col. 13, lines 66-67)) or non-virtual media (i.e. media file (col. 12, lines 62-67)) processing device control method to create a pluggable terminal (see col. 13, line 30 through col. 14, line 41) and making the pluggable terminal available to a TAPI application component (see col. 5, line 20 through col. 6, line 35). But Mathis does not specifically disclose the unique ID for pluggable terminal; a set of media flow direction supported by the pluggable terminal and set of media types supported by the pluggable terminal. However Porter discloses the unique ID for

pluggable terminal (see col. 8, lines 6-19); a set of media flow direction supported by the pluggable terminal (see col. 8, lines 12-26) and set of media types supported by the pluggable terminal (see col. 8, lines 20-26). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claim 31, Porter discloses the method for triggering the events to the terminal manager component (see col. 15, lines 49-63). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

Response to Amendment

9.   Applicant's amendment and arguments, see pages 3-13, filed November 29, 2003, with respect to the rejection(s) of claim(s) 1-50 under 35 USC § 102(e)/103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Mathis.

Conclusion

10.   All claims are rejected.

11.   The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

Swartz (US No. 6,445,694) discloses an internet controlled telephone system.

Fishler et al. (US No. 5,852,719) disclose a system for transferring data over a network in which a data source sends only a descriptor which a data sink uses to retrieve data.

Hattish (US No. 6,687,342) discloses a system and method for retaining client configuration information across the re-installation of any TAPI service proivder in a TAPI 2.1 environment.

Langlois et al. (US No. 6,018,571) disclose a system for interactive control of a computer and telephone.

Clayton et al. (US No. 6,681,001) disclose a computer integrated telecommunications system and methods.

Fritzinger et al. (US No. 6,208,724) disclose a virtual telephone.

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (703) 306-2756. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

         If attempts to reach the examiner by telephone are unsuccessful, the examiner's Primary, Paul Myers can be reached on (703) 305-9656 or via e-mail addressed to paul.myers@uspto.gov. The fax phone number for this Group is (703) 746-7239.

         Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to **[raymond.phan@uspto.gov]**.

         All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

         Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Raymond Phan
2/7/04